Docket for 03-388

(27)

No. 03-388
Title: Dennis Bates, et al., Petitioners
v.
Dow Agrosciences LLC
Docketed: September 12, 2003
Lower Ct: United States Court of Appeals for the Fifth Circuit
Case Nos.: (02-10908)
Decision Date: June 11, 2003
Questions Presented

| Date | Proceedings and Orders |
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| Sep 9 2003 | Petition for writ of certiorari filed. (Response due October 14, 2003) |
| Sep 30 2003 | Order extending time to file response to petition to and including November 13, 2003. |
| Nov 13 2003 | Brief of respondent Dow Agrosciences LLC in opposition filed. |
| Nov 25 2003 | DISTRIBUTED for Conference of December 12, 2003. |
| Dec 15 2003 | The Solicitor General is invited to file a brief in this case expressing the views of the United States. |
| May 28 2004 | Brief amicus curiae of United States filed. |
| Jun 4 2004 | Supplemental brief of petitioners Dennis Bates, et al. filed. (Distributed) |
| Jun 8 2004 | DISTRIBUTED for Conference of June 24, 2004. |
| Jun 18 2004 | Supplemental brief of respondents Dow Agrosciences LLC filed. (Distributed) |
| Jun 28 2004 | Petition GRANTED. |
| Jul 13 2004 | Extension of time within which to file the joint appendix and petitioners' brief on the merits to and including September 13, 2004. |
| Jul 29 2004 | Record received from U.S.C.A. 5th Circuit (U.S.D.C. for Northern Dist. of Texas record included) (2 boxes) |
| Sep 1 2004 | Consent to the filing of amicus briefs in support of either party received from counsel for the petitioners. |
| Sep 10 2004 | Consent to the filing of amicus briefs in support of either party received from counsel for the respondent. |
| Sep 13 2004 | Brief amici curiae of Natural Resources Defense Council, et al. filed. |
| Sep 13 2004 | Brief of petitioners Dennis Bates, et al. filed. |
| Sep 13 2004 | Joint appendix filed. |
| Sep 13 2004 | Brief amici curiae of Western Peanut Growers Association, et al. filed. |
| Sep 13 2004 | Brief amici curiae of Texas, et al. filed. |
| Sep 13 2004 | Brief amicus curiae of Association of Trial Lawyers of America filed. |
| Sep 13 2004 | Brief amicus curiae of Herbert Samuel Harrison filed. |
| Sep 22 2004 | Extension of time within which to file respondent's brief on the merits to and including November 17, 2004. |
| Oct 27 2004 | Further extension of time within which to file respondent's brief on the merits to and including November 24, 2004. |
| Nov 12 2004 | SET FOR ARGUMENT ON Monday, January 10, 2005. |
| Nov 12 2004 | CIRCULATED. |
| Nov 23 2004 | Brief amicus curiae of Chemistry Council filed. (Distributed) |

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| Nov 24 2004 | Brief of respondent Dow Agrosciences LLC filed. (Distributed) |
| Nov 24 2004 | Brief amicus curiae of Texas Chemical Council filed. (Distributed) |
| Nov 24 2004 | Brief amicus curiae of Edwin L. Johnson filed. (Distributed) |
| Nov 24 2004 | Brief amicus curiae of Croplife America and National Pest Management Association filed. (Distributed) |
| Nov 24 2004 | Brief amicus curiae of Washington Legal Foundation filed. (Distributed) |
| Nov 24 2004 | Brief amicus curiae of E.I. Du Pont De Nemours and Company, Monsanto Company, and Syngenta Crop Protection, Inc. filed. (Distributed) |
| Nov 24 2004 | Brief amicus curiae of Defense Research Institute filed. (Distributed) |
| Nov 24 2004 | Brief amicus curiae of United States filed. (Distributed) |
| Nov 24 2004 | Brief amicus curiae of Product Liability Advisory Council, Inc. filed. (Distributed) |
| Nov 24 2004 | Brief amicus curiae of Chamber of Commerce of the United States filed. (Distributed) |
| Nov 24 2004 | Brief amicus curiae of BASF Corporation filed. (Distributed) |
| Nov 29 2004 | LODGING of respondent, consisting of a bound volume containing two documents, "Public Interest Document for Products Containing Diclosulam" (1996) and "Reduced Risk Rationale for Diclosulam Herbicide Used in Control of Broadleaf Weeds in Peanuts, (1998) approved and received. (Distributed) |
| Dec 6 2004 | Motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed. |
| Dec 10 2004 | Motion of Texas, et al. for leave to participate in oral argument as amicus curiae and for divided argument filed. |
| Dec 13 2004 | Motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED. |
| Dec 17 2004 | Letter received from counsel for petitioner in opposition to motion of Texas. |
| Dec 20 2004 | Letter received from counsel for Texas in response to petitioner's letter opposing the motion of Texas. |
| Dec 29 2004 | Reply of petitioners Dennis Bates, et al. filed. (Distributed) |
| Jan 6 2005 | Letter dated January 5, 2005 received from counsel for the respondent. (Distributed). |
| Jan 7 2005 | Motion of Texas, et al. for leave to participate in oral argument as amicus curiae and for divided argument DENIED. |
| Jan 10 2005 | Argued. For petitioners: David C. Frederick, Washington, D.C. For respondent: Seth P. Waxman, Washington, D.C.; and on behalf of the United States, as amicus curiae, Lisa S. Blatt, Assistant tot he Solicitor General, Department of Justice, Washington, D.C. |